REMARKS

I. The 35 U.S.C. §112 Rejections

Claim 13 was rejected under 35 U.S.C. §112, Second Paragraph, as being allegedly indefinite for including the word "substantially."

A. MPEP Guidelines re "Substantially"

"The fact that claim language, including terms of degree, may not be precise, does not automatically render the claim indefinite under 35 U.S.C. 112, second paragraph." MPEP 2173.05(b).

"The term 'substantially' is often used in conjunction with another term to describe a particular characteristic of the claimed invention." MPEP 2173.05(b)(D). For example, the MPEP acknowledges that a limitation such as "to substantially increase the efficiency" is definite in view of the general guidelines contained in the specification. Id.

In the present case, the term "substantially tracks the traversed path" is definite because one of ordinary skill in the art would know the meaning of the term in view of the general guidelines of the specification.[1] See, for example, Specification, page 14, lines 8-17 and page 18, lines, 28-31.

Therefore, Applicant respectfully requests the Examiner to withdraw the 112, second paragraph rejection.

II. The 35 U.S.C. §102 Rejections

Claims 1, 4, 6-10, 13, 15, 19, 23, 26, 29-31, 33, 35, and 36 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,360,168, to Shimabara ("SHIMABARA").

[1] The embodiments described in the Specification are merely exemplary and should not be construed to limit the scope of the claims to only the exemplary embodiments.

A. Claim 1

It is axiomatic that the cited reference in a §102 rejection must disclose every element in the rejected claim. Based on the following arguments, Applicant respectfully traverses this rejection because SHIMABARA has failed to disclose or suggest multiple elements recited in claim 1.

Claim 1 recites a method for enabling a three-dimensional simulation through a region, comprising:

obtaining information about a path traversed by a user through a region, including a plurality of locations on said path;

acquiring content associated with at least some of said locations;

correlating said locations with said content; and

enabling an interactive three-dimensional simulation through said region as experienced from a moving vantage point along a simulation route, including:

accessing a three-dimensional map for at least a portion of said region; and

associating said acquired content to locations on said three-dimensional map based on said correlation.

1. SHIMABARA Does Not Disclose or Suggest Obtaining Information about a Path Traversed by a User

Claim 1 recites the step of obtaining information about a path traversed by a user through a region, including a plurality of locations on the path.

SHIMABARA discloses a vehicle navigation apparatus for enhancing recognition of various guiding images on a map displayed to a driver. SHIMABARA, col. 1, lines 49-51. A vehicle navigation apparatus generally detects the current position of a vehicle, obtains map data in the vicinity of the vehicle, and displays the map on a screen. SHIMABARA, col. 1, lines 11-14.

The Examiner cited col. 8, lines 1-8 of SHIMABARA for allegedly disclosing this step. The cited portion in SHIMABARA discloses a "route-search processing unit" for generating a traveling route (or guiding route) between a vehicle's current position and its desired destination. The cited portion also discloses a "guiding-route drawing unit" which draws the guiding route over a map image. This guiding route

can later be used to guide the driver to the destination. Thus, in SHIMABARA, the guiding route is calculated by a processing unit and has not yet been traversed by the driver. A path yet to be traversed by a driver is not the same as a path that has actually been traversed by a user. For instance, a driver can decide not to follow the guiding route and drive along a different route. In this case, the actual route traversed by the driver is different than the calculated guiding route.

In contrast, claim 1 recites obtaining information about a path already traversed by a user through a region. The simulation of the region (to be enabled by performing all the steps of claim 1) is based on the path that has been traversed.

Based on the foregoing, Applicant respectfully submits that SHIMABARA does not disclose or suggest this step of claim 1.

2. SHIMABARA Also Does Not Disclose or Suggest Enabling an Interactive Three-Dimensional Simulation as Experienced from a Moving Vantage Point

Claim 1 further recites the step of enabling an interactive three-dimensional simulation through the region (traversed by the user) as experienced from a moving vantage point along a simulation route.

The Examiner cited col. 7, lines 20-59 of SHIMABARA for allegedly disclosing this step. The cited portion of SHIMABARA discloses a process for transforming two-dimensional image objects to three-dimensional image objects. Each image object first undergoes a "rotation coordinate-transformation" in accordance with the traveling direction of the vehicle. Next, the image object undergoes a "predetermined projection transformation" based on the view position in which the direction of view is set to be along the traveling direction of the vehicle. Lastly, the image object undergoes a "predetermined projection transformation" based on the position of the view (i.e., acquired during the previous transformation which was set to be along the traveling direction of the vehicle). Therefore, the three-dimensional image objects in SHIMABARA are to be viewed on a map from the single vantage point of the traveling direction of the vehicle.

In contrast, claim 1 recites enabling an interactive three-dimensional simulation as experienced from a moving vantage point along a simulation route. For example, the user can move the vantage point off the simulation route as desired.

Further, the vantage points along the simulation route can occur at any altitude (or succession of altitudes) and/or orientation with respect to the three-dimensional map. See Specification, page 15, lines 11-20[1].

Based on the foregoing, Applicant respectfully submits that SHIMABARA has failed to disclose or suggest multiple steps of claim 1. Therefore, claim 1 is not anticipated by SHIMABARA.

B. Independent Claims 9, 26, 31, 35, and 36

Independent claims 9, 26, 31, 35, and 36 recite substantially the same limitations as described above regarding claim 1. Based on the foregoing arguments regarding the same limitations, these independent claims are also not anticipated by SHIMABARA.

C. Dependent Claims 2-8, 10-25, 27-30, and 32-34

Dependent claims 2-8, 10-25, 27-30, and 32-34 are dependent on independent claims 1, 9, 26, and 31, respectively. Based on the foregoing arguments regarding the independent claims, these dependent claims should also be in condition for allowance.

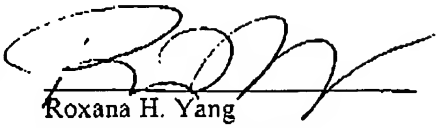
II. The 35 U.S.C. §103 Rejections Regarding Dependent Claims

Various combinations of dependent claims were rejected under 35 U.S.C. §103(a) as being unpatentable over SHIMABARA in view of one or more other patents/references. Based on the foregoing regarding the independent claims, Applicant respectfully submits that the §103 rejections of the dependent claims are now moot and these claims are in condition for allowance.

III. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

By: 
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